

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MILLENNIUM, L.P.,

Plaintiff,

-against-

COLUMBIASOFT CORPORATION,

Defendant.  
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Index No.: 07-CV-4062 (RWS)

**DECLARATION OF JOHN  
MCINTYRE IN SUPPORT OF  
DEFENDANT COLUMBIASOFT  
CORPORATION'S MOTION TO  
TRANSFER VENUE  
PURSUANT TO 28 U.S.C.  
§ 1404(a)**

I, JOHN MCINTYRE, declare:

1. I am employed as a law librarian and research assistant at the law firm of Tonkon Torp LLP in Portland, Oregon. I make this Declaration based on personal knowledge and, if called to testify, would attest to the facts stated herein.

2. I performed extensive electronic database searches to locate information regarding Millennium, L.P. and its principal, Mitchell Medina. In my research, I did not locate any documents that would show any connection that Millennium, L.P. and Mitchell Medina have with the Southern District of New York, other than that Millennium has filed lawsuits in this District and Mr. Medina claims to have access to lodging and office space in this District.

3. I searched the records maintained by the State of New York Secretary of State's office. Millennium, L.P. is not incorporated in New York, nor is it registered to do business in New York.

4. Various newspaper articles and a website apparently maintained by a group affiliated with Mr. Medina indicate that Mr. Medina resides in Kenya. Attached as Exhibits 1 through 3 to this Declaration are print-outs of two of these articles and web pages.

5. Attached as Exhibit 4 to this Declaration is a print-out from the ECF system maintained by the United States District Court for the Southern District of New York. The print-out shows Millennium, L.P. has filed 30 cases in this District.

6. Attached as Exhibit 5 is the docket sheet for the action entitled *Millennium, L.P. v. Laserfiche Document Imaging*, Case No. 03-08564. The docket sheet shows that the District Court granted the defendant's motion to transfer venue.

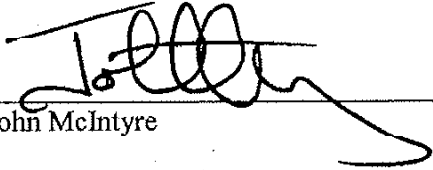
7. Attached as Exhibit 6 is the docket sheet for the action entitled *Millennium, L.P. v. Readsoft AB*, Case No. 01-037340-JGK. The docket sheet shows that the District Court granted the defendant's motion to transfer venue.

8. Attached as Exhibit 7 is the docket sheet for the action entitled *Millennium, L.P. v. Cedartech, Inc.*, Case No. 05-05881-RP ("Cedartech Action"). The docket sheet shows that the District Court granted the defendant's motion to transfer venue.

9. Attached as Exhibit 8 is a copy of the Declaration of Mitchell Medina, dated December 5, 2005, filed in the Cedartech Action. In the Declaration, Mr. Medina states that he is solely responsible for the business affairs of Millennium, L.P. He also states that he has "access to lodging and office space" in the Southern District of New York. The declaration indicates that Mr. Medina signed in Nairobi, Kenya.

Pursuant to 28 USC § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED 29<sup>th</sup> day of June 2007.

  
John McIntyre